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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/018,148

04/10/2002

Hiroshi Ono,

01764/LH

7036

1933

7590

05/13/2004

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EXAMINER

BENENSON, BORIS

ART UNIT

PAPER NUMBER

2836

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,148

Applicant(s)

ONO ET AL.

Examiner

Boris Benenson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/16/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Detailed Actions

1. Amendment received on 3/16/2004 is entered.
 - a. The Specification is amended. Objection to the Disclosure is withdrawn.
 - b. Claims 1, 5 and 9 are amended. Claims 1-19 are pending in the Application.

Response to the arguments

2. Applicant's arguments that magnetic materials used in the Application are better serve for high current and noise suppression are taken into consideration, but are beyond a scope defined by claim's limitation. The conversion of the energy of the magnetic field into thermal energy is not described in the Specification and not included into the claims limitation.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Osada et al. (5,703,557) in view of Yoshida et al. (5,827,445). Osada et al. disclose a noise-absorbing device. The device comprises a flexible member (Fig. 1, Pos. 10) capable of being attached to a cable. A flexible core holder comprises a break, which elongates over all length along an axial direction of a cable. The device comprises at least two layers, which consist of a high-frequency suppressing layer (Fig. 2, Pos. 20). The holder (10) is made of insulating resin. Osada et al. didn't disclose a type of material to be used in the high-frequency suppressing layer. Yoshida et al. teach a composite magnetic article for use as an electromagnetic interference suppressing body, which comprises soft magnetic powder of at least one soft magnetic composition having a magnetostriction constant, each of particles of the powder being flaky, and organic binding agent binding said soft magnetic powder dispersed therein (Abstract). In the magnetic powder of, for example, Fe--Al--Si alloy, the oxide layer is mainly composed of $\text{AlO}_{0.5}$ and $\text{SiO}_{0.5}$. Yoshida et al. teach also that Fe--Al--Si alloy ("Sendust" which is a registered trademark), Fe--Ni alloy (Permalloy), amorphous alloy or other metallic soft

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magnetic materials can be used as a start material. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the noise-absorbing device of Osada et al. with teachings of Yoshida et al. , since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

5. Claims 8-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa et al. (JP2000-312253) in view of Osada et al. (5,703,557) and further view of Yoshida et al. (5,827,445). Ogawa et al. disclose an earphone cord device to be connected to an output terminal (9) of a PHS or a cellular telephone. The device comprises an earphone (4), a microphone (5) connection cord (3), a plug (2) and a noise filter (6) attached in the vicinity or the inside of the connection plug (2). Ogawa disclose also that the filter can be placed near or inside the microphone. Ogawa et al. does not disclose high-frequency filter consisting of soft magnetic material. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the noise-absorbing

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device of Osada et al. modified by teachings of Yoshida et al., because it will suppress the noise in desired frequency range.

Related Prior Art

6. Other prior art that provides teachings related to known compositions that may be used in magnetic shields or suppressing devices.

a. Shigeta et al. (5,207,841) disclose a Soft Magnetic Powder and Magnetic Shield Composition.

(Claims 7 and 12).

b. Ono et al. (6,620,337) disclose a Composite Magnetizer, Composite Magnetizer Sheet, and Methods of Manufacturing the Same. The compositions include Fe--Al-Si powder and used "for electromagnetic interference repressor (e.g., "suppressor")".

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Benenson whose telephone number is (571) 272-2048. The examiner can normally be reached on M-F (8:20-6:00) First Friday Off.

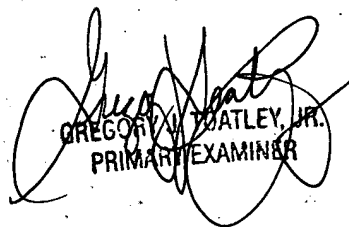
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272-2800 x 36. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Boris Benenson
Examiner
Art Unit 2836

B.B.


GREGORY W. HATLEY, JR.
PRIMARY EXAMINER